

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KINGVISION PAY-PER-VIEW, LTD.,  
as Broadcast Licensee of the October 2, 2004  
Trinidad/Mayorga Program,

Plaintiff,

**ORDER**

-against-

05 CV 0614 (RJD)(JMA)

CARMEN BATISTA, et al.,

Defendants.

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DEARIE, District Judge.

Plaintiff seeks damages, attorney's fees and costs against defendants Carmen Batista and Francesca Duran, individually and as officers, directors, shareholders, and/or principals of 3175 Fulton Restaurant Corp. d/b/a El Gran Mar De Plata and 3175 Fulton Restaurant Corp. d/b/a El Gran Mar De Plata.

By Order dated August 26, 2005, the Court referred this matter to Magistrate Judge Joan M. Azrack for report and recommendation. Judge Azrack recommended that a judgment be entered against defendants, jointly and severally, in the amount of \$9,500 in statutory damages, plus a \$20,000 increase for the willful violation of the statute, as well as \$2,090 for attorney's fees and costs, for a total damages award of \$31,590. Judge Azrack also recommended that plaintiff's request for a permanent injunction be granted.

No objections were filed. Accordingly, the Court adopts Judge Azrack's Report and Recommendation in all respects without qualification.

SO ORDERED.

Dated: Brooklyn, New York  
November 8, 2005

s/ Judge Raymond J. Dearie

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RAYMOND J. DEARIE  
United States District Judge